



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,506	08/13/2007	Kustaa Nyholm	PLANMECA-250944	1031
54942	7590	11/09/2010		
Cozen O'Connor 277 PARK AVENUE 20th Floor NEW YORK, NY 10172				
EXAMINER				
COBANOGILU, DILEK B				
ART UNIT		PAPER NUMBER		
3626				
NOTIFICATION DATE		DELIVERY MODE		
11/09/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto@cozen.com
ggress@cozen.com

Office Action Summary

Application No.

10/599,506

Applicant(s)

NYHOLM, KUSTAA

Examiner

DILEK B. COBANOGU

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 9, 10, 13-17, 19-21, 23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 9, 10, 13-17, 19-21, 23 and 25-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment received on 08/30/2010. Claims 1-4, 6, 9-10, 13-17, 19-21, 23 and 25-28 remain pending in this application.

Claim Rejections - 35 USC § 112

2. Claim Rejections - 35 USC § 112 for claims 15, 21, 26, 28 and 16-22 has been withdrawn due to the amendments.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6, 9-10, 13-17, 19-21, 23 and 25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Sorensen et al. (hereinafter Sorensen) (U.S. Patent No. 7,739,125 B2).

A. Claim 1 has been amended now to recite data arrangement for dental-care environment, which comprises at least one dental-care-related device (U, T) and a data system (S), wherein the dental-care-related device is a dental unit (U) configured to control operation of at least one dental-care instrument (X), and

wherein a data transmission communication has been arranged between the dental unit (U) and the data system (S); and wherein the arrangement comprises

- i. a means for identifying a predetermined event, the predetermined event being taking said at least one dental-care instrument (X) to use (Sorensen; col. 8, lines 3-67), and
- ii. a means for transmitting information related to said event to the data system (S) as a response to identifying the predetermined event (Sorensen; col. 8, lines 3-67), and
- iii. a means for storing said information in the data system (S) item-specifically (Sorensen; col. 8, lines 3-67).

B. Claim 2 has been amended now to recite arrangement according to claim 1, wherein the predetermined event is followed by a treatment event the target of which being a patient; and the means for storing have been arranged to store information related to the treatment event patient-specifically (Sorensen; col. 8, lines 3-67).

C. Claim 3 has been amended now to recite arrangement according to claim 2, wherein the target of the treatment event is a certain tooth and/or a certain tooth surface of a patient (Sorensen; abstract).

D. Claim 4 has been amended now to recite arrangement according to claim 1, wherein the predetermined event is followed by operating said at least one dental-care instruments (X); and the means for storing have been arranged to store said information instrument-specifically (Sorensen; col. 8, lines 3-67).

E. Claim 6 has been amended now to recite arrangement according to claim 1, wherein the dental unit (U) comprises means for receiving information related to the predetermined event (Sorensen; abstract, col. 1, lines 4-14).

F. Claim 9 has been amended now to recite arrangement according to claim 1, wherein the information related to the predetermined event comprises **at least one of the following data**: data of the type of dental-care instrument (X) (Sorensen; abstract, col. 5, lines 6-22), identification data of the dental-care instrument (X), maintenance status data of the dental-care instrument (X), sterilisation status data of the dental-care instrument (X), point of time of sterilisation of the dental-care instrument (X), data of connecting the dental-care instrument (X) to the dental unit (U), data of taking the dental-care instrument (X) to use in connection with a treatment event, data of the point of time the dental-care instrument (X) was taken to use, data of operation parameter values of the dental-care instrument (X) during the dental treatment event comprising data of operation time, rotation speed and/or power used, data of disconnecting the dental-care instrument (X) from the dental unit (U), data of disconnection time of the dental-care instrument (X) from the dental unit (U), data of performing a certain treatment procedure, data of the point of time of performance of a certain treatment procedure.

G. As per claim 10, Sorensen discloses arrangement according to claim 1, wherein the means for identifying the predetermined event comprise an electronic reader device (Sorensen; col. 8, lines 3-67).

H. Claim 13 has been amended now to recite arrangement according to claim 1, wherein the data system (S) comprising also a user interface and a display means connected with it; and the data system (S) is configured for transmitting to the display means information stored in the data system (S) and/or messages based on said information (Sorensen; abstract, col. 1, lines 4-14).

I. Claim 14 has been amended now to recite arrangement according to claim 1, wherein the data system (S) is configured for transmitting to the dental unit (U) control data relating to a treatment plan and/or at least one dental care instruments (X); and the dental unit (U) has been arranged to be controlled according to said control data as a response to receiving said control data (Sorensen; abstract, col. 1, lines 4-14).

J. Claim 15 has been amended now to recite method for maintaining an electronic dental-care register for a dental-care environment in a data arrangement, the dental-care environment comprising

- i. at least one dental unit (U) configured to control operation of at least one dental- care instrument (X), and a data system (S), wherein a data transmission communication is formed between the dental unit (U) and the data system (S) (Sorensen; abstract, col. 8, lines 3-67);
- ii. a predetermined event is identified in the dental unit (U), the predetermined event being taking said at least one dental-care instrument (X) to use (Sorensen; col. 8, lines 3-67);

- iii. information related to the identified event is sent from the dental unit (U) to the data system (S) (Sorensen; col. 8, lines 3-67);
 - iv. said information is received in the data system (S) (Sorensen; col. 8, lines 3-67); and
 - v. said information is stored in the data system (S) item-specifically (Sorensen; col. 8, lines 3-67).
- K. Claim 16 has been amended now to recite method according to claim 15, wherein the predetermined event is followed by an operation targeted to a patient, a patient's tooth and/or its certain surface; and the information related to the-event-said operation is stored patient-specifically (Sorensen; col. 8, lines 3-67).
- L. Claim 17 has been amended now to recite method according to claim 15, wherein the predetermined event is followed by operating the at least one dental-care instrument (X); and the information related to operation of said at least instrument is stored instrument-specifically (Sorensen; col. 8, lines 3-67).
- M. Claim 19 has been amended now to recite method according to claim 15, wherein an individual instrument is identified; the identification data is compared with a treatment plan of a patient who is the object of a treatment procedure and/or with status data of the individual instrument in question; it is detected if instrument (X) is unsterilised **or** does not correspond the treatment plan; and the said detection is expressed as a response to detecting an unsterilised instrument

or an instrument not corresponding the treatment plan (Sorensen; col. 8, lines 3-67).

N. Claim 20 has been amended now to recite method according to claim 15, wherein information related to the predetermined event is stored in a patient database of the dental clinic data system (S) (Sorensen; col. 8, lines 3-67).

O. Claim 21 has been amended now to recite method according to claim 15, wherein as a response to identifying taking the at least one dental-care instrument (X) in use, data of taking said instrument (X) to use is transmitted and stored in the data system (S) instrument-specifically and patient-specifically and further data of a dental procedure performed by said instrument (X) is transmitted and stored in the data system patient-specifically (Sorensen; col. 8, lines 3-67).

P. Claim 23 has been amended now to recite dental-care-related device for performing dental-care events in a dental-care environment, wherein it comprises means for forming a data transmission communication with a data system (S) for the dental-care environment; means for identifying a predetermined event; and means for transmitting information related to the identified event to the data system (S), wherein the dental-care-related device includes a dental unit (U) configured to control operation of at least one dental-care instrument (X) and the predetermined event is taking said at least one dental-care instrument (X) to use, and wherein the dental-care related device further comprises means for storing information in the data system (S) item-specifically (Sorensen; col. 8, lines 3-67).

Q. Claim 25 has been amended now to recite Software product for a data arrangement for dental-care environment, the dental-care environment comprising at least one device (U, T) related to dental treatment and a data system (S), which software product comprises a program stored on program storage means and being readable by a computer, wherein it comprises a first routine by which a data transmission communication between the dental-care-related device (U, T) and the data system (S) is formed; a second routine by which a predetermined event is identified in the dental-care-related device (U, T); and a third routine by which information related to the identified event is transmitted from the dental-care-related device (U, T) to the data system (S), wherein at least one of the devices (U, T) related to dental treatment is a dental unit (U) configured to control operation of at least one dental-care instrument (X), and the predetermined event is taking said at least one dental-care instrument (X) to use (Sorensen; col. 8, lines 3-67).

R. Claim 26 has been amended now to recite software product according to claim 25, wherein said program comprises a routine for running a method for maintaining an electronic dental-care register for a dental-care environment in a data arrangement, the dental-care environment comprising at least one dental unit (U) configured to control operation of at least one dental-care instrument (X), and a data system (S), wherein a data transmission communication is formed between the dental care unit (U) and the data system (S); a predetermined event is identified in the dental unit (U), the predetermined event being taking said at

least one dental-care instrument (X) to use; information related to the identified event is sent from the dental unit (U) to the data system (S); said information is received in the data system (S); and said information is stored in the data system (S) item-specifically (Sorensen; col. 8, lines 3-67).

S. Claim 27 has been amended now to recite software product in a data arrangement for dental-care environment, the dental-care environment comprising at least one device (U, T) related to dental treatment and a data system (S), which software product comprises a program stored on program storage means and being readable by a computer, wherein it comprises a first routine by which information related to a predetermined event is received in the data system from the dental-care-related device (U, T); and a second routine by which said information is stored in the data system (S) so that it may be linked to the object of the event, wherein at least one of the devices (U, T) related to dental treatment is a dental unit (U) configured to control operation of at least one dental-care instrument (X), and the predetermined event is taking said at least one dental-care instrument (X) to use (Sorensen; col. 8, lines 3-67).

T. Claim 28 has been amended now to recite software product according to claim 27, wherein said program comprises a routine for running a method for maintaining an electronic dental-care register for a dental-care environment in a data arrangement, the dental-care environment comprising at least one dental care unit (U) configured to control operation of at least one dental-care instrument (X), and a data system (S), wherein a data transmission

communication is formed between the dental unit (U) and the data system (S); a predetermined event is identified in the dental unit (U), the predetermined event being taking said at least one dental-care instrument (X) to use.; information related to the identified event is sent from the dental unit (U) to the data system (S); said information is received in the data system (S); and said information is stored in the data system (S) item-specifically (Sorensen; col. 8, lines 3-67).

Response to Arguments

5. Applicant's arguments with respect to claims 1-4, 6, 9-10, 13-17, 19-21, 23, 25-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DILEK B. COBANOGU whose telephone number is (571)272-8295. The examiner can normally be reached on 8-4:30.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Morgan can be reached on 571-272-6773. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dilek B Cobanoglu/
Examiner, Art Unit 3626